

Notice of Allowability

Application No.

10/008,878

Examiner

Kimberly D. Nguyen

Applicant(s)

SHOEMAKER, STEPHEN P.

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 17 November 2003.
2. ☒ The allowed claim(s) is/are 1 and 4-31.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Amendment

1. Acknowledgement is made of Amendment filed 17 November 2003.

Drawings

2. New corrected/formal drawings are required in this application. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Allowable Subject Matter

3. Claims 1 and 4-31 are allowed.
4. The following is an examiner's statement of reasons for allowance:

The record of prior art fails to specifically teach a ticket counter including a transport mechanism for transporting tickets, the ticket has first and second longitudinal edges, wherein the transport mechanism maintains contact with the tickets while exposing the first and second longitudinal edges of the tickets; a sensor adjacent the transport mechanism and positioned to read first and second longitudinal edges while the ticket is being transported by the transport mechanism; and a receipt generator for printing the quantity of tickets transported by the transport mechanism past the sensor.

Horniak teaches an automated ticket counting apparatus having a transport mechanism for transporting tickets from an inlet, past a sensor, the transport mechanism maintaining contact with the tickets while the ticket is being transported; a sensor adjacent the transport mechanism

Art Unit: 2876

to read the openings/notches/gaps of the ticket while the ticket is transported by the transport mechanism, the sensor determining a quantity of tickets transported by the transport mechanism past the sensor and generating a signal corresponding to the quantity; a computer in communication with the sensors for receiving the signal from the sensor.

Nickels, Jr. teaches multiple input compact ticket processor/computer, which has a printer that which is connected thereto and the printing means to print a receipt and a transactional data on the ticket.

Saunders teaches the computer records information encoded on the tickets including the distributor of the tickets.

However, Horniak, Nickels, Jr., and Saunders, taken alone or in combination thereof, fails to specifically teach a ticket counter including a transport mechanism for transporting tickets; the ticket has first and second longitudinal edges, wherein the transport mechanism maintains contact with the tickets while exposing the first and second longitudinal edges of the tickets; a sensor adjacent the transport mechanism and positioned to read first and second longitudinal edges while the ticket is being transported by the transport mechanism; and a receipt generator for printing the quantity of tickets transported by the transport mechanism past the sensor.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wingeron, Jr. (US 5,996,457) teaches apparatus for destruction of tickets and the like. Nichols et al. (US 5,943,241) teaches item dispensing system. Aubrey (US 4,798,942) teaches easy access ticket transport mechanism. Bittner et al. (US 5,290,033) teaches gaming machine and coupons.

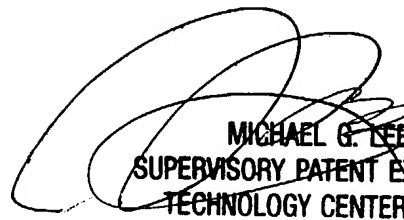
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KDN
1 April 2004



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